



PATENT
Attorney Docket No. A34093 PCT USA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Philip George Ellis

Application Number: 09/786,739

Filed: October 15, 2001

For: BUILDING FRAME MEMBER AND
METHOD OF CONSTRUCTION

Group Art Unit: 3725

Examiner: D. CRANE

REQUEST FOR ONE-MONTH EXTENSION OF TIME TO RESPOND AND RESPONSE TO
NOTICE OF NON-COMPLIANT AMENDMENT UNDER 37 C.F.R. §1.121

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450

12/31/03

Date of Deposit

Kimberly J. McGraw

Attorney Name

Signature

50,994

PTO Registration No

12/31/03

Date of Signature

Commissioner of Patents
U.S. Patent & Trademark Office
Washington, D.C. 20231

Sir:

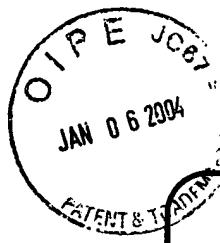
In response to the Notice of Non-Compliant Amendment mailed November 4, 2003, Applicant respectfully requests that the Examiner reconsider the above-captioned patent application in view of the following:

Request for one-month extension of time begins on page 2 of this paper.

Amendments to the claims begin on page 3 of this paper.

Request for One-Month Extension of Time to Respond:

Applicant respectfully requests a one-month extension of time for responding to the Office Action mailed November 4, 2003, with respect to the above-captioned patent application, up to and including January 4, 2003. Please charge the \$110 large entity fee for a one-month extension of time, and any other fees associated with this responsive amendment, to the undersigned's Deposit Account No. 02-4377.

Please type a plus sign (+) inside this box → 

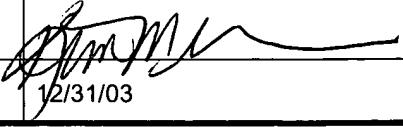
TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/786,739
		Filing Date	October 15, 2001
		First Named Inventor	Philip George Ellis
		Group Art Unit	3725
		Examiner Name	D. Crane
Total Number of Pages in This Submission		Attorney Docket Number	A34093 PCT USA 072142.0117

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Notice of non-Compliant Amendment Under 37 C.F.R. §1.121 and Return Receipt Postcard
Remarks <input type="text"/>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112
Signature	
Date	12/31/03

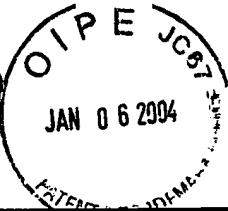
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on this date:

Typed or printed name	Kimberly J. McGraw
Signature	
Date	12/31/03

BAKER BOTT LLP



FEE TRANSMITTAL for FY 2003

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT **(\$ 110)**

Complete if Known

Application Number	09/786,739
Filing Date	October 15, 2001
First Named Inventor	Philip George Ellis
Examiner Name	D. Crane
Art Unit	3725
Attorney Docket No.	A34093 PCT USA 072142.0117

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number
Deposit Account Name

02-4377

Baker Botts LLP

The Commissioner is authorized to: (check all that apply)
 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee required under 37CFR 1.16 and 1.17
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$ 0)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			- 20 =	0	0
			- 3 =	0	0

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 0)		

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

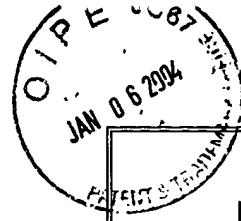
Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	110
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3) (\$ 110)			

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SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Kimberly J. McGraw	Registration No. (Attorney/Agent)	50,994	Telephone	212-408-2502
Signature		Date	12/31/03		



BAKER BOTTS LLP

Attorney Docket Number: A34093 PCT USA 072142.0117

Title: BUILDING FRAME MEMBER AND METHOD OF CONSTRUCTION

Use Space Below for Additional Information:

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